

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55666 of 2017

Arising Out of PS.Case No. -59 Year- 2017 Thana -MEHANDIA District- JEHANABAD

- =====
1. Birendra Singh, S/o Late Jainandan Singh.
 2. Rama Kant, S/o Narendra Singh.
- Both Resident of Village-Bhikhanpur Dhevai, P.S.-Mahendia, District-Arwal.

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioners : Mr.
For the State : Mr.
For the Informant : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 29-11-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioners apprehend their arrest in connection with Mehandia P.S. Case No.59 of 2017 registered under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

The accusation is that when the informant Alok Kumar alongwith his mother went to his filed then they found that four persons, named in the F.I.R., including the petitioners were digging the field. On making protest by the informant and his mother, the petitioner no.1 caused injury through lathi at the head of the informant whereas Nikhil caused injury on his head through iron rod. At that time, the petitioner no.2 and Chandrakant Kumar caused injury through lathi



and iron rod to Lalita Devi and Neha Kumari, the mother and sister of the informant respectively.

Learned counsel for the petitioners submits that, in fact, due to land disputed, the occurrence of “Maar-Peet” took place in between the parties in which both the petitioners sustained grievous injuries on their persons regarding which on the basis of the written report of the petitioner no.1, Mehandia P.S. Case No.60 of 2017 was also instituted against the informant and his family members. Moreover, the injuries, as found on the person of the informant and his sister, are simple in nature, whereas the opinion regarding the nature of injury sustained by Lalita Devi, the mother of the informant, has been kept reserved. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Arwal, in connection with Mehandia P.S. Case No.59 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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